

CIVIL DOCKET

UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE		ATTORNEYS				
<p>VAN ST. JOHN, Individually and as Father and Next Friend of TERRY G. ST. JOHN, MARK S. ST. JOHN and SUSAN E. ST. JOHN, Plaintiff, vs. MISSOURI-KANSAS-TEXAS RAILROAD COMPANY and WILLIAM H. GALE, An Individual, H. F. GALE, JR. Defendant.</p> <p>Removal from the District Court from Tulsa County, State of Okla.</p>		<p>For plaintiff: Floyd L. Walker 405 Mayo Building 1919 4th Natl. Bk. Bldg. Tulsa, Oklahoma 74109 (584-4136)</p> <p>For defendant: R. Dobie Langenkamp (MK&T & GALE) G. Michael Lewis 1200 Atlas Life Building Tulsa, Oklahoma 74103 (585-5541)</p>				
STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.	
J.S. 5 mailed 9-1-73	Clerk	8-16-73 8-23-73	Langenkamp C.D.No.4	15.00	15 00	
J.S. 6 mailed 8-1-74	Marshal					
Basis of Action: Train-Auto Accident.	Docket fee					
	Witness fees					
Action arose at:	Depositions					

DATE	PROCEEDINGS	Date Order or Judgment Noted
8-16-73	Petition for Removal from District Court of Tulsa County, OK, filed.v	
8-16-73	Bond on Removal, filed. M-K-T Railroad is Principal & Aetna Casualty & Surety Co. is Surety, are bound in penal sum of \$500.00. v	
8-16-73	Interrogatories to def. railroad, filed. rm	
8-16-73	Appl. of Deft.s for extension of time in which to plead or answer, filed. v -order to Judge.	
8-16-73	Notice of Petition for Removal, filed. v	
8-16-73	Certificate of Tulsa County Court Clerk, filed. v	
8-20-73	Order, filed, that defts. are granted until 9-22-73 to answer or plead. (FD-J)hm (copies mailed)	
9-21-73	Stipulation for additional time to plead or answer, filed. v	
9-24-73	Order, filed, granting Defts. an extension of time until 10-8-73 in which to further plead or ans. (AEB-J)jj - copies mailed -	
9-28-73	Answer of railroad co. to pltf's. interrogatories, w/obj's. and brief Defts. filed. rm	
10-9-73	Mtn. for Order Compelling Discovery or Other Appropriate Relief under Rule 37(a), filed. jj	
10-9-73	Brief of Pltf. in Support of Mtn. for Order Compelling Discovery or other Appropriate Relief under Rule 37(a), filed. jj	
10-10-73	ANSWER of defs., filed. rm	
11-2-73	Ltr. to def. counsel from FD directing defs. to comply with motion for order compelling discovery within 15 days or to show cause why they should not comply. (FD-J)rm (due 11/17)	
11-7-73	Pltf's Mtn. for Order Dropping a Pty. Deft. and Adding a Pty. Deft. Pursuant to Rule 21 of the Fed. Rules of Civil Procedure, filed.jj 0 to J	
11-12-73	Order, filed, granting pltf. leave to drop Wm. H. Gale as party def. and adding H. F. Gale, Jr. as pty. def. (FD-J)rm copies mailed	
11-14-73	Response to Motion for Order Compelling Discovery Pursuant to Rule 37(a), filed. jj	
11-19-73	Amendment to complaint, adding H. F. Gale, Jr. in place of Wm. H. Gale, filed. rm	
11-20-73	Summons issued on def. H. F. Gale, Jr. rm	
11-28-73	Order, filed, sustaining defs. obj. to interrog. 6(a),7(a),7(b),7(c) and 7(d) & denying pltf. mo/compel ans. to same; further ordered that def. obj. to interrog. 9 & 10 is overruled and def. directed to ans. same by 12/13/73; further ordered that def. ans. interrog. 11 by 12/13/73 but said ans. need only cover 10 yr. period prior to accident. (FD-J)rm copies mailed	
12-14-73	Deft's Answers to Interrogatories Pursuant to Order, filed.a	
12-28-73	Summons, ret. & filed: served H. F. Gale, Jr., 12-11-73. (USM \$35.20)g	
1-4-74	Answer of Deft. H. F. Gale, Jr., filed.jj	
1-17-74	Stipulation of dismissal w/o prejudice, against def. Wm. H. Gale, filed and entered. rm	
3-22-74	MO: Ordered by the Court that this case is set for Pre-Trial on 4-16-74 at 11:00 A.M. (FD-J)v -docket mld. to parties.	

(contd)

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
4-11-74	MO: Ordered by the Court that this case is stricken from Pre-Trial docket of 4/16/74, pending settlement. (FD-J)rm	
7-18-74	MO: Ordered by the Court that this case is set for a Friendly Suit Hearing on July 23, 1974, at Noon. (FD-J)v -parties notified.	by phone & mail
7-23-74	Court orders that Pltf., Van St. John, recover from Deft., M-K-T, sum of \$30,000, plus costs, and Van St. John, Guardian for Terry G. St. John, Mark S. St. John, and Susas E. St. John, recover from M-K-T judgment in sum of \$30,000 and court costs to be divided among said three children. Further ordered that Deft. H.F. Gale, Jr., be dismissed from this suit with prejudice. Further ordered that said \$30,000 shall be held by Van St. John pursuant to said guardianship and further order of the District Court of Tulsa County (Probate Division)., filed lm.	
7-23-74	Case called for final settlement evidentiary hearing. Parties pre. and rep. by counsel of record. Pltf. files motion to add Van St. John as party pltf. in capacity of "guardian" to 3 minor children. Order signed and filed in open court. Pltf. Van St. John sworn and testifies as witness. Judgment in favor of pltf. and against the def. signed and filed in open court.	
8-2-74	<u>Copy</u> of transcript of proceedings held 7/23/74, filed. (Tim Holmes - Ct. Reporter)rm	
8-5-74	Original of transcript of proceedings held 7/23/74, filed.jj	
8-22-74	Release and satisfaction of Judgment, filed. lm	
9-3-74	APPLICATION for Order Exonerating Bond, filed.jj O to J	
9-6-74	Order, filed, exonerating removal bond. (FD-J)rm - copies mailed	

DATE	PROCEEDINGS	Date Order or Judgment Note